

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

C. H.,

Plaintiff,

v.

THE CAPE HENLOPEN SCHOOL
DISTRICT, et al.,

Defendants.

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: C. A. No. 07-cv-00193-MPT

PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

Plaintiff C.H., by counsel and pursuant to Fed. R. Civ. P. 56, hereby moves this Court to enter summary judgment in favor of Plaintiff, finding that the Hearing Decision and Order issued by the Hearing Panel on January 6, 2007, was issued in error and contained erroneous conclusions of law and findings of fact; that there are no genuine issues of material fact; and that Plaintiff is entitled to judgment as a matter of law.

The reasons for this motion will be set forth in a Memorandum of Points and Authorities to be filed on December 21, 2007, pursuant to LCvR 7.1.3.(c), as well as the Statement of Material Facts as to Which There Is No Genuine Issue. A proposed order will also be submitted therewith.

Respectfully submitted,

/s/ Bruce L. Huson

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December 6, 2007
Date